


Plaintiff argues, *inter alia*, that the Court should not have dismissed his claims against NCPLS on the grounds that it was not named as a Defendant because NCPLS was listed in the caption of the Amended Complaint. He argues that NCPLS is a “person” for purposes of 42 U.S.C. § 1983 because it is a private corporation that provides legal services to prisoners. He also argues that the Court misinterpreted the Amended Complaint in several ways.

Plaintiff’s argument that the Court dismissed NCPLS because it was not named as a Defendant is incorrect. The Court acknowledged that Plaintiff listed NCPLS as a Defendant and separately addressed the sufficiency of Plaintiff’s allegations against NCPLS. See (Doc. No. 25 at 7-8).

Plaintiff’s contention that the Court misconstrued his arguments is insufficient to warrant reconsideration. The Court screened the Amended Complaint by liberally construing Plaintiff’s allegations. If Plaintiff wishes to file new or different claims and/or make changes to the named Defendants, he must seek leave to file a Second Amended Complaint which would be subject to all procedural and timeliness requirements. See Fed. R. Civ. P. 8, 15.

IT IS, THEREFORE, ORDERED that Plaintiff’s Motion for Reconsideration, (Doc. No. 28), is **DENIED** for the reasons set forth in this Order.

Signed: February 1, 2019



Frank D. Whitney
Chief United States District Judge

